

Pursuant to Fed. R. Civ. P. 56, Defendants Schering-Plough Corporation (“Schering”) and Warrick Pharmaceuticals Corporation (“Warrick”) respectfully move this Court to grant summary judgment in favor of Schering and Warrick as to all Class 2 claims. The grounds for this motion are set forth in the Memorandum in Support of Schering’s and Warrick’s Motion for Summary Judgment as to Class 2 Claims.

In support of its motion, Schering and Warrick submit herewith: (i) Schering's and Warrick's Memorandum in Support of its Motion for Summary Judgment as to Class 2 Claims, (ii) Concise Statement of Undisputed Material Facts in Support of Schering's and Warrick's Motion for Summary Judgment; (iii) Declaration of Eric P. Christofferson Transmitting Documents Relied upon in Schering's and Warrick's Motion for Summary Judgment; (iv) Declaration of Sumanth Addanki, Ph.D; (v) Schering's and Warrick's Motion for Leave to File Under Seal; (vi) Schering's and Warrick's Notice of Filing Under Seal.

WHEREFORE, Schering and Warrick respectfully request that the motion for summary judgment as to Class 2 claims be GRANTED.

REQUEST FOR ORAL ARGUMENT

Pursuant to LR. 7.1, Schering and Warrick believing that oral argument may assist the Court in resolving the issues presented in this motion and respectfully request that oral argument be heard.

Schering-Plough Corporation and
Warrick Pharmaceuticals Corporation
By their attorneys,

/s/ Eric P. Christofferson

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Dated: March 15, 2006

CERTIFICATE OF COMPLIANCE WITH LR. 7.1

I hereby certify that counsel for Schering and Warrick attempted to confer with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues set forth herein. As of filing, Counsel for the Plaintiffs has not responded to the email message, sent by counsel for Schering and Warrick, and has not indicated whether or not Plaintiffs assent to this motion.

/s/ Eric P. Christofferson
Eric P. Christofferson

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2006, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

/s/ Eric P. Christofferson
Eric P. Christofferson